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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/994,891	11/28/2001	Masakazu Nishikawa	Q66604	8056

7590 01/23/2004

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Washington, DC 20037-3213

EXAMINER
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KAPADIA, VARSHA A

ART UNIT	PAPER NUMBER
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2651

DATE MAILED: 01/23/2004

16

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/994,891

Applicant(s)

NISHIKAWA ET AL.

Examiner

Varsha A Kapadia

Art Unit

2651

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 05 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-6 is/are allowed.
- 6) ☒ Claim(s) 7-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 9. 6) ☐ Other: \_\_\_\_\_

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This office action is responsive to the amendment filed on November 5, 2003.

### **Information Disclosure**

Prior art submitted by the applicant on September 30, 2003 has been considered.

### **Rejection Under 35 U.S.C. 103**

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brar et al (EP 0 332 784 b1) in view of Ishida et al (EP 0 915 456 A1). (submitted by the applicant).

With regards to claim 8 Brar et al discloses an apparatus for cleaning a magnetic recording medium (see col.3 lines 11-12 and col.4 lines 31-42), comprising: a decompression vessel for housing (see fig.3 element 36 and disclosure thereof); a pressure reducing unit for reducing pressure in the vessel (see fig.3 disclosure thereof and col.5 lines 1-2 and 24-33); a discharge unit for generating plasma discharge between an electrode in the vessel and the medium (see fig. 3 disclosure thereof and col.5 lines 3-7); and a gas introduction unit for introducing gas into the vessel (see col.4 line 35 to col.5 line 33).

Brar et al discloses an apparatus for cleaning a magnetic recording mediums as described above in this office action, Brar et al fails to specify that the medium is used in a magnetic transferring method for magnetically transferring information from the master medium to slave medium.

Ishida et al, however discloses that the magnetic recording medium is used as a master medium and capability of transferring information from the master medium to slave medium, as claimed (see for example abstract and col.6).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teaching of Brar et al with above teaching from Ishida et al in order to provide a capability to transfer information from a dust free master recording medium to a slave medium and hence to improve the quality of the signals.

With regards to claim 7, the method is drawn to the method of using the corresponding apparatus claimed in claim 8 . Therefore method claim 7 corresponds to the apparatus claim 8 and is rejected for the same reasons of obviousness.

#### **Allowable Subject Matter**

Claims 1-6 are allowed.

Claims 1-6 differs from the prior art of record by specifically reciting in claim 1, that the magnetic transfer is performed by bringing the slave and the master medium into close contact before formation of the lubricating layer and that the slave medium including a lubricating layer is formed on a surface of the recording plane during the use. Claim 2 differs from the prior art of record by specifically reciting that the slave medium and the master medium are brought into close contact with each other, with liquid in an amount of 2 to 2 mg/m<sup>2</sup> intervening there between.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Varsha A Kapadia whose telephone number is (703) 305-4198. The examiner can normally be reached on Mon-Wed from 6:30 AM to 2:00 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David R. Hudspeth can be reached on (703) 308-4825. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.



VK



**DAVID HUDSPETH  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600**